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SOUTHWESTCO WIRELESS, INC.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

12 | SOO YOUNG KIM, CASE NO.:2:17-CV-00706-APG-NJK

13 Plaintiff,

14 | Page

14 | v.

15 SOUTHWESTCO WIRELESS, INC., a
16 foreign corporation; DOES I through X;
and ROES I through X, inclusive,

17 Defendant.

CASE NO.:2:17-CV-00706-APG-NJK

**STIPULATION AND ORDER TO
CONTINUE DISCOVERY
(SECOND REQUEST)**

18 SOUTHWESTCO WIRELESS, INC., a
foreign corporation; DOES I through X;
19 and ROES I through X, inclusive

20 || Third-Party Plaintiff

v.

21 | QUALITY SOLUTIONS INC

|| 22 Third-Party Defendant

24 COMES NOW, Defendant SOUTHWESTCO WIRELESS, INC (hereinafter,
25 “Southwestco”), Third-Party Defendant QUALITY SOLUTIONS, INC. (hereinafter “Quality
26 Solutions”) and Plaintiff Soo Young Kim (“Plaintiff”), and hereby submit their Stipulation
27 and Order Extending Discovery Deadlines. In support of this Stipulation, the Parties state

1 as follows:

2 **A. DISCOVERY COMPLETED TO DATE**

3 1. The Parties exchanged their Initial Disclosures Pursuant to FRCP. 26(a)(1);
4 2. The Defendant has procured the medical records of the Plaintiff;
5 3. The Defendant propounded written discovery on the Plaintiff which the
6 Plaintiff responded to;
7 4. The Defendant deposed the Plaintiff on June 7, 2017;
8 5. The Defendant disclosed its initial experts;
9 6. The Defendant deposed the Plaintiff's treating physicians;
10 7. The Plaintiff agreed to provide certain discovery and opposed other
11 discovery but failed to provide it which resulted in the Southwestco filing a Motion to
12 Compel.

13 **B. DISCOVERY REMAINING TO BE COMPLETED**

14 Pursuant to this court's order granting Southwestco's Motion to Compel, the
15 Plaintiff is required to provide certain discovery to the Defendants which include
16 authorizations for Southwestco to procure additional medical records from the Plaintiff's
17 additional treating physicians. However, the documents are not required to be produced
18 until after the current close of discovery which is March 28, 2018.

19 The stipulation is being requested for the limited purpose of allowing Southwestco
20 to complete discovery related to the additional documents and other evidence which was
21 ordered to be produced pursuant to the Court's order on Southwestco's Motion to
22 Compel.

23 Southwestco will need time to procure the medical records from Medicare, the
24 Nevada PMP and to review any documents related to the subsequent slip and fall and the
25 subsequent auto accident. Once the records are received, Southwestco will need to
26 provide the documents to its medical experts for review and preparation of supplemental
27 opinions.

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2 **C. REASONS FOR REQUEST FOR EXTENSION OF DISCOVERY DEADLINES**

3 The reason the extension is requested is that the Plaintiff's counsel failed to
4 provide the discovery in a timely fashion which resulted in Southwestco not being able to
5 conduct the discovery in this case during the discovery period and which resulted in the
6 filing of the Motion to Compel. The current deadline for disclosure of initial expert
7 witnesses was January 26, 2018 and the close of discovery is March 28, 2018.

8 Therefore this request is not being made 21 days prior to the deadline. However,
9 good cause exists for ordering the stipulation because the motion to compel materialized
10 after Southwestco attempted to work with Plaintiff's counsel during discovery and
11 Plaintiff's counsel actually agreed to provide some of the documents, but Plaintiff's
12 counsel ultimately failed to do that which resulted in Southwestco filing the Motion to
13 Compel which was granted by this Court.

14

15 **D. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY**

16 1. Southwestco's Initial Expert Disclosure deadline should be extended from
17 January 26, 2018 to June 6, 2018 which is approximately 60 from the date
18 the Plaintiff is to provide the authorizations (April 4, 2018) which will give
19 Southwestco 30 days to procure the documents and allow Southwestco's
20 experts 30 days to review the documents and prepare supplements to the
21 initial reports.

22 2. Discovery Cut-Off should be extended from March 28, 2018 to July 6, 2018
23 which is approximately 30 days from the Southwestco's Initial Expert
24 Disclosure deadline.

25 3. The Dispositive Motions deadline should be extended from April 27, 2018 to
26 August 3, 2018 which is 30 days from the proposed Discovery Cut-Off.

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4. The proposed Joint Pretrial Order deadline should be extended from May 28, 2018 to August 31, 2018 which date shall be automatically stayed until 30 days after any Order is issued in the event any party files any dispositive motion.

DATED this 28th day of March, 2018.

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/s/ Ian Estrada

/s/ Blake A. Doerr

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ORDER

IT IS SO ORDERED

DATE: March 29, 2018

UNITED STATES MAGISTRATE JUDGE